

United States District Court
Eastern District of Michigan

United States of America

**ORDER OF DETENTION PENDING REMOVAL
TO WESTERN DISTRICT OF TEXAS-DEL RIO**

v.

Geena Brewer

Texas Case number: SA-06-CR-286-02-XR

Case Number: 07-30224

Defendant

In accordance with the Bail Reform Act, 18 U.S.C. §3142(f), a detention hearing has been held. Defendant waived her identity with respect to removal. I conclude that the following facts require the detention of the defendant pending removal in this case.

Part I – Findings of Fact

/(1) I find that:

- / there is probable cause to believe that the defendant has committed an offense
- / for which a maximum term of imprisonment of ten years or more is prescribed in 21 U.S.C. § 841 or _____;
- " under 18 U.S.C. § 924(c).

Defendant charged with two counts of Methamphetamine distribution in underlying charge; before court now for violation of conditions of Pretrial release (that is, positive drug screens)

/(2) I further find that the defendant has not rebutted the presumption established by finding that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

Alternative Findings

/ I find that the government has established by a preponderance of the evidence that there is a serious risk that the defendant will not appear. Has not followed court's previous order for no drug use. Has been reporting.

/ I find that the government has established by clear and convincing evidence that there is a serious risk that the defendant will endanger the safety of another person or the community.—Clear and convincing evidence that if released would continue illegal drug use

Part II – Written Statement of Reasons for Detention

I find that the credible testimony and information submitted at the hearing established the following factors under 18 U.S.C. § 3142(g):

" (a) nature of the offense—def indicted on two counts of methamphetamine; following in patient drug treatment continued to test positive for drugs

" (b) weight of the evidence—strong; supervised by Pretrial Release here and agent in courtroom —drug screens positive on several occasions

" (c) history and characteristics of the defendant —history of drug use

" 1) physical and mental condition—evidence of addiction to narcotics drugs

" 2) employment, financial, family ties—no employment; strong family ties; father in courtroom;; two children both apparently removed from home. Son born 10/06 while def on bond tested positive for opiates.

" 3) criminal history and record of appearance—record of drug convictions and arrests. May be outstanding state warrants.

" (d) probation, parole or bond at time of the alleged offense—initially released on bond —this is bond violation hearing.

" (e) danger to another person or community—evidence that would continue to use drugs—16 negative and three positive drug screens.

Part III – Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

s/Virginia M. Morgan

Date

4/25/07

Signature of Judge

Virginia M. Morgan, United States Magistrate Judge

Name and Title of Judge